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**F A X C O V E R**

\*\*\*\*\*OFFICIAL FAX\*\*\*\*\*

**Date:** February 16, 2005 **Number of pages (including cover):** 12

**To:** Office of Initial Patent Examination's Filing Receipt Corrections, U.S.  
Patent and Trademark Office

**Fax No.:** 703-746-9195

**Serial No.:** 10/664,046

**Title:** **DETERMINATION AND/OR CONTROL OF REACTOR  
ENVIRONMENTAL CONDITIONS**

**From:** Timothy J. Oyer, Ph.D.

**Direct dial:** 617.646.8251

**Our File #:** B1102.70027US00

**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner Office of Initial Patent Examination's Filing Receipt Corrections, FAX number 703-746-9195, at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d), on the 16 day of February, 2005.

  
Tina Hanifin

**ORIGINAL DOCUMENTS WILL NOT BE MAILED.**

**MESSAGE:** Transmitted herewith is/are Transmittal, Request for Correction of Corrected Filing Receipt, Copy of Corrected Filing Receipt with corrections noted thereon, copy of the Response to Request For Corrected Filing Receipt and a copy of Request to Correct Filing Receipt filed on 10/18/04.

This transmission contains confidential information intended for use only by the above-named recipient. Reading, discussing, distributing, or copying this message by anyone other than the named recipient, or his or her employees or agents, is strictly prohibited. If you have received this fax in error, please notify us immediately by telephone (collect), and return the original message to us at the address below via the U.S. Postal Service.

**IF YOU DID NOT RECEIVE ALL OF THE PAGES OF THIS TRANSMISSION, OR IF ANY OF THE PAGES ARE ILLEGIBLE, PLEASE CALL 617.646.8000 IMMEDIATELY.**

**Wolf Greenfield Fax Number: 617.646.8646**

Wolf, Greenfield & Sacks, P.C. | 500 Atlantic Avenue | Boston, Massachusetts 02210-2206  
617.646.8000 | fax 617.646.8646 | www.wolfgreenfield.com

**PATENTS TRADEMARKS COPYRIGHTS TECHNOLOGY TRANSFERS LITIGATION**

DOCKET NO.: B1102.70027US00

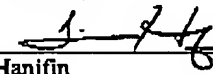
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Scott E. Miller et al.  
Serial No.: 10/664,046  
Confirmation No.: 2591  
Filed: September 16, 2003  
For: DETERMINATION AND/OR CONTROL OF REACTOR  
ENVIRONMENTAL CONDITIONS  
Examiner: Not Yet Assigned  
Art Unit: 1744

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**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Office of Initial Patent Examination's Filing Receipt Corrections, fax number (703) 746-9195, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16 day of February, 2005.

  
Tina Hanifin

---

Office of Initial Patent Examination's Filing Receipt Corrections  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Request for Correction of Corrected Filing Receipt
- Copy of Corrected Filing Receipt with corrections noted thereon
- Copy of the Response to Request for Corrected Filing Receipt
- Copy of Request to Correct Filing Receipt filed on October 18, 2004

If the attached papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*BioProcessors Corp., Assignee of the Entire Interest*

By:

Timothy J. Oyer, Ph.D., Reg. No.: 36,628  
Tani Chen, Sc.D., Reg. No.: 52,728  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

xNDD  
867618.1

DOCKET NO.: B1102.70027US00

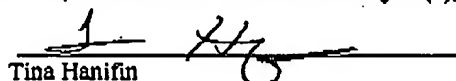
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Scott E. Miller et al.  
Serial No.: 10/664,046  
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For: DETERMINATION AND/OR CONTROL OF REACTOR  
ENVIRONMENTAL CONDITIONS  
Examiner: Not Yet Assigned  
Art Unit: 1744

---

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Tina Hanifin

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**Office of Initial Patent Examination's Filing Receipt Corrections**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


**REQUEST FOR CORRECTION OF CORRECTED FILING RECEIPT**

The Response to the initial Request to Correct, filed October 18, 2004, states "a claim for priority cannot be made based on an application filed after the application making the claim." However, USSN 10/456,934 was filed on June 5, 2003, while this application, USSN 10/664,046, was filed on September 16, 2003.

The Applicants respectfully request that correction be made as indicated on the attached copy of the Corrected Filing Receipt and a corrected filing receipt be issued. If you have any questions, please do not hesitate to call the undersigned at (617) 720-3500.

Respectfully submitted,  
*BioProcessors Corp., Assignee of the Entire Interest*

By:

  
Timothy J. Oyer, Ph.D., Reg. No.: 36,628  
Tani Chen, Sc.D., Reg. No.: 52,728  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

xNDD  
867619.1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1475  
www.uspto.gov

| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/664,046 | 09/16/2003                | 1744     | 1126          | B1102.70027US00 | 32       | 76       | 7        |

Timothy J. Oyer, Ph.D.  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210

CONFIRMATION NO. 2591

CORRECTED FILING RECEIPT

\*OC000000014231195\*

Date Mailed: 10/28/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Scott E. Miller, Somerville, MA;  
Gennady Malin, Newton, MA;  
Howard B. Schreyer, Tewksbury, MA;  
Seth T. Rodgers, Somerville, MA;  
Andrey J. Zarur, Winchester, MA;

|              |                                     |          |
|--------------|-------------------------------------|----------|
| Confirmation | <input type="checkbox"/>            | Initials |
| Docketing    | <input checked="" type="checkbox"/> | TJO      |

Assignment For Published Patent Application  
BioProcessors Corp., Woburn, MA

Power of Attorney: The patent practitioners associated with Customer Number 23528.

## Domestic Priority data as claimed by applicant

This application is a CON of PCT/US03/25958 08/19/2003  
which claims benefit of 60/409,273 09/09/2002  
and is a CON of 10/223,582 08/19/2002 ABN  
and is a CON of 10/457,048 06/05/2003 ABN  
and is a CON of 10/456,133 06/05/2003 ABN  
and is a CON of 10/457,049 06/05/2003  
and is a CON of 10/457,015 06/05/2003  
This application 10/664,046  
is a CIP of 10/457,048 06/05/2003 ABN  
which is a CIP of 10/119,917 04/10/2002  
which claims benefit of 60/282,741 04/10/2001  
This application 10/664,046  
is a CIP of 10/457,049 06/05/2003  
which claims benefit of 60/386,323 06/05/2002

DOCKETED  
NOV 03 2004

and is a CON of  
10/456,934, filed 6.5.03

This application 10/664,046  
is a CIP of 10/457,015 06/05/2003  
which claims benefit of 60/388,322 06/05/2002  
and said 10/456,133 06/05/2003  
is a CIP of 10/119,917 04/10/2002  
and said 10/457,049 06/05/2003  
is a CIP of 10/119,917 04/10/2002  
and said 10/457,015 06/05/2003  
is a CIP of 10/119,917 04/10/2002

**Foreign Applications**

If Required, Foreign Filing License Granted: 12/09/2003

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/664,046**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Determination and/or control of reactor environmental conditions

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations

especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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| APPLICATION NUMBER | FILING OR 371(c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 10/664,046         | 09/16/2003            | Scott E. Miller       | B1102.70027US00        |

Timothy J. Oyer, Ph.D.  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210

CONFIRMATION NO. 2591



Date Mailed: 10/28/2004

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☒ A claim for priority cannot be made based on an application filed after the application making the claim. *10456934*
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: Country, Application number, Filing date.
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.
- ☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this

application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Attorney's Docket No.: B1102.70027US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott E. Miller et al.  
Serial No.: 10/664,046  
Conf. No.: 2591  
Filed: September 16, 2003  
Examiner: Not Yet Assigned  
Title: DETERMINATION AND/OR CONTROL OF REACTOR  
ENVIRONMENTAL CONDITIONS  
Art Unit: 1744

---

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 18 day of October, 2004.

  
Signature

---

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Dear Sir:

The enclosed filing receipt does not include the correct continuing data information. The correct continuing data information is:

This application is a CON of PCT/US03/25956, filed 08/19/2003, which claims priority to USSN 60/409,273, filed 09/09/2002, and USSN 10/223,562, filed 08/19/2002, and USSN 10/457,048, filed 06/05/2003, and USSN 10/456,934, filed 06/05/2003, and USSN 10/456,133, filed 06/05/2003, and USSN 10/457,049, filed 06/05/2003, and USSN 10/457,015, filed 06/05/2003.

This application 10/664,046 is also a CIP of USSN 10/457,048, filed 06/05/2003, which is a CIP of USSN 10/119,917, filed 04/10/2002, which claims priority to USSN 60/282,741, filed 04/10/2001.

This application 10/664,046 is also a CIP of USSN 10/457,049, filed 06/05/2003, which claims priority to USSN 60/386,323, filed 06/05/2002.

Serial No. 10/664,046  
Conf. No. 2591

2

Art Unit 1744

This application 10/664,046 is also a CIP of USSN 10/457,015, filed 06/05/2003, which claims priority to USSN 60/386,322, filed 06/05/2002.

Said USSN 10/456,934 is also a CIP of said 10/119,917.

Said USSN 10/456,133 is also a CIP of said 10/119,917.


Said USSN 10/457,049 is also a CIP of said 10/119,917.

Said USSN 10/457,015 is also a CIP of said 10/119,917.

A copy of the Filing Receipt with the above corrections marked in red is attached.

The Applicants respectfully request that this correction be made and a corrected filing receipt be issued.

Respectfully submitted,



---

Timothy J. Oyer, Reg. No. 36,628  
Tani Chen, Sc.D., Reg. No. 52,728  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210  
Tel. (617) 646-8000  
Fax (617) 646-8646

Docket No.: B1102.70027US00  
Date: October 18, 2004  
XNDDX  
794824

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FILE FEE REC'D | ATTY. DOCKET NO  | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|----------------|------------------|----------|----------|----------|
| 10/664,046 | 09/16/2003                | 1744     | 1126           | B11027.70027US00 | 32       | 76       | 7        |

Timothy J. Oyer, Ph.D.  
 Wolf, Greenfield & Sacks, P.C.  
 600 Atlantic Avenue  
 Boston, MA 02210

COPY

B11027.70027US00

CONFIRMATION NO. 2591

UPDATED FILING RECEIPT

\*00000000012243607\*

Date Mailed: 04/01/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Scott E. Miller, Somerville, MA;  
 Gennady Malln, Newton, MA;  
 Howard B. Schreyer, Tewksbury, MA;  
 Seth T. Rodgers, Somerville, MA;  
 Andrey J. Zarur, Winchester, MA;

|              |                                     |                    |
|--------------|-------------------------------------|--------------------|
| Confirmation | <input type="checkbox"/>            | Initials           |
| Docketing    | <input checked="" type="checkbox"/> | <i>[Signature]</i> |

## Assignment For Published Patent Application

BioProcessors Corp., Woburn, MA;

## Domestic Priority data as claimed by applicant

This application is a CON of PCT/US03/25956 08/19/2003 ✓  
 which claims benefit of 60/409,273 09/09/2002 ✓

This application 10/664,046

- ✓ is a CIP of 10/457,048 06/05/2003 ABN
- ✓ which is a CIP of 10/119,917 04/10/2002
- ✓ which claims benefit of 60/282,741 04/10/2001

This application 10/664,046

- ✓ is a CIP of 10/457,049 06/05/2003
- ✓ which claims benefit of 60/386,323 06/05/2002

This application 10/664,046

- ✓ is a CIP of 10/457,015 06/05/2003
- ✓ which claims benefit of 60/386,322 06/05/2002

## Foreign Applications

and USSN 10/223,562, filed 08/19/2002,  
 and USSN 10/457,048, filed 06/05/2003,  
 and USSN 10/456,934, filed 06/05/2003,  
 and USSN 10/456,133, filed 06/05/2003,  
 and USSN 10/457,049, filed 06/05/2003,  
 and USSN 10/457,015, filed 06/05/2003.

DOCKETED

APR 06 2004

If Required, Foreign Filing License Granted: 12/09/2003

Projected Publication Date: 07/08/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Determination and/or control of reactor environmental conditions

Preliminary Class

422

USPN 10/157,048, filed 06/05/2003,  
which is a CIP of USPN 10/119,917, filed  
04/10/2002  
which claims priority to USPN 60/332,74  
filed 01/10/2001.

This application 10/664,046 is also  
a CIP of USPN 10/457,049, filed 06/05/04  
which claims priority to USPN 60/386,31  
filed 06/05/02.

This application 10/664,046 is also  
a CIP of USPN  
10/457,015, filed 06/05/04  
which claims priority to USPN 60/386,  
filed 06/05/2002.

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

said USPN 10/456,934 is  
also a CIP of said 10/119,  
said USPN 10/456,133 is  
also a CIP of said 10/119,91  
said USPN 10/457,049 is  
also a CIP of said 10/119,917.  
said USPN 10/457,015 is  
also a CIP of said 10/119,917.

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (i)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).